

SENATE BILL REPORT

SB 5333

As Reported By Senate Committee On:
Transportation, March 1, 2007

Title: An act relating to teenage drivers.

Brief Description: Modifying driver's license and training provisions that affect teenage drivers.

Sponsors: Senators Murray, Eide, Jacobsen, Marr, Spanel and Shin.

Brief History:

Committee Activity: Transportation: 2/14/07, 3/01/07 [DPS, DNP].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5333 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker, Ranking Minority Member; Berkey, Delvin, Eide, Jacobsen, Kastama and Spanel.

Minority Report: Do not pass.

Signed by Senators Murray, Vice Chair; Benton, Clements, Holmquist, Kilmer and Sheldon.

Staff: Martha Hankins (786-7429)

Background: Washington, like most states, has a graduated driver's license with three distinct phases: a beginner phase, an intermediate phase, and the regular unrestricted license. In 2000, the Legislature adopted the graduated licensing system in response to the disproportionately high incidence of motor vehicle crashes involving teen drivers.

Beginning drivers can obtain a driver's instruction permit, sometimes called a learner's permit, at age 15 if they are enrolled in a driver education course, or at age 15½ if they have passed a written test. A person with a learner's permit can only drive while supervised: they must have a licensed driver with at least five years driving experience in the front passenger seat.

After six months with a learner's permit, applicants are eligible for an intermediate driver's license (IDL). They must have completed a required driver education course, accumulated 50 hours of supervised behind the wheel experience, passed a driving test, have no traffic convictions during the previous six months, and no drug or alcohol convictions since getting their learner's permit.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The IDL places certain restrictions on young drivers, applicable until they turn 18:

- For the first six months the IDL prohibits having passengers under age 20 (except immediate family members); then for the remainder of the IDL period the holder may not drive with more than three passengers under age 20 (except immediate family members).
- The IDL prohibits driving between 1 a.m. and 5 a.m. except when accompanied by a parent, guardian, or licensed driver at least 25 years old.

At age 18, the IDL automatically becomes a regular, unrestricted driver's license.

In 2006, the Joint Transportation Committee (JTC) commissioned a study of programs and policies related to teenage drivers. The resultant study, published by the JTC in January 2007, recommends a number of changes that affect teenage drivers and the Washington graduated driver's license.

The JTC teenage driving study recommends a uniform statewide curriculum and a cohesive, integrated approach to preparing teenagers for their drivers licenses. The study recommends that teens wait longer before learning to drive, that parents be more involved, and that the restrictions be enforced for a longer period of time.

Summary of Bill: The age for obtaining a learner's permit is increased to 16, regardless of whether or not the teen is enrolled in a driver's education program. Drivers under the age of 18 must attend school or a GED program. When the teen receives a learner's permit, the Department of Licensing (DOL) issues a log book to his or her parents in which to record the required supervised driving practice hours.

Restrictions and penalties are increased. The IDL prohibits driving from 10 p.m. until 6 a.m. for the entire period of the IDL. Restrictions against passengers under age 20 extend for the entire period of the IDL. Penalties for violating the restrictions increase: a first violation results in suspension for six months; and a second violation results in suspension until age 18. The sunset provision is repealed and the IDL becomes a permanent part of Washington law.

The Director of the DOL communicates to the Office of the Superintendent of Public Instruction (OSPI) the effect of school hours on teenage collisions rates.

The requirement for supervised driving practice increases to 60 hours, which must be complete prior to obtaining an IDL. The practice hours get recorded in the log book which parents sign, certifying that the teen driver accumulated the required supervised driving practice.

The DOL provides oversight for all traffic safety and driver education, ensuring consistency throughout the state with a curriculum integrating classroom and behind the wheel instruction.

Parental involvement in the process increases. The driver education curriculum includes at least one session with parents or guardians, ensuring they understand both their responsibilities and the restrictions to the IDL. DOL supplies a parent guide (available in both English and Spanish) to assist parents.

Violations to the IDL cease being identified as a secondary offense. DOL develops a program by which parents can voluntarily identify the vehicle driven by a teenage driver. DOL undertakes a statewide advertising campaign educating both parents and the public about the teenage driving restrictions.

DOL establishes an oversight group of stakeholders and citizens ensuring that Washington has a consistent and integrated curriculum for driver education. The oversight group consists of representatives from DOL, OSPI, driving schools, insurance companies, parents, and other interested stakeholders.

EFFECT OF CHANGES MADE BY RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Transportation): Driver's Instruction Permit:

- The age requirement for an instruction permit remains as in current law: 15 if enrolled in driver training and traffic safety education courses, 15 & half; otherwise.
- Applicants must be in compliance with Washington's compulsory school attendance law.

Intermediate Driver's License:

- Holders of an IDL may not drive between the hours of midnight and 6 a.m.
- No passengers under age 20 (except immediate family members) except as permitted with a driver's instruction permit; that is, when an approved instructor, or a licensed driver with five years experience, occupies the seat beside the driver.
- After age 17, if the holder of the IDL has a clean driving record, he or she may have one non-family passenger under the age of 20.

Penalties: Penalties for violating the terms of the IDL are modified: a first violation results in a three month suspension and the opportunity to apply for an instruction permit for the duration of the suspension. The second and third violations remain as in current law: the second violation results in a suspension for six months and the third results in suspension until age 18.

Oversight Committee: Additional members are added to the oversight and advisory committee, and the duties are clarified and expanded. The committee is instructed to consider parent taught driver training. The Director of DOL has the option of adding additional members. The committee reports to the Legislature every two years on the status of driver training and traffic safety education.

The act takes effect January 1, 2008. Various technical changes are made.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The increased restrictions against nighttime driving and teen passengers are the most important things in this bill. If your child was killed in an accident where the driver was another teen driving in violation of the IDL restrictions you too would do everything you could to increase awareness and enforcement. This bill

won't bring back kids who have died, but it will save further lives. The education campaign and sticker bring needed awareness to other drivers and to law enforcement. With some minor changes, this bill will make needed improvements to the Washington IDL. Some questions remain regarding making violations of the IDL a primary offense.

OTHER: Age may not be the best indicator of readiness to drive. Practice driving is important, and the log book signed by parents needs to be examined. Increasing the restrictions against nighttime driving and teenage passengers adds complications for rural families whose children won't be able to participate in football, proms, or other school events. While the JTC study generally makes sense, data may not support the requirement that students be attending school.

Persons Testifying: PRO: Steve Lind, Washington Traffic Safety Commission; Dave Overstreet, AAA Washington, Capt. Jeff DeVere; Lorrain Damon, parent; Edith Perez-Murrey, grandparent; Eduard Lutgen, Innovative Solutions; Tana Cochran, DOL.

OTHER: Gerald Apple, Washington Traffic Safety Education Association; Isabel Munoz-Colon, OSPI.

Signed In, Unable to Testify & Submitted Written Testimony: OTHER: Fred Wright, Washington Professional Traffic Safety Education, Swerve Driver Training.